

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

M&G HEALTH ASSOCIATES, INC., A/K/A
M&G HEALTH ASSOCIATES, SC,

Plaintiff,

v.

HEALTH CARE SERVICE CORPORATION,
A MUTUAL LEGAL RESERVE COMPANY,
D/B/A BLUE CROSS BLUE SHIELD OF
ILLINOIS,

Defendant.

CASE NO. 08CV3944

HONORABLE JUDGE LEFKOW

HONORABLE MAGISTRATE JUDGE COX

**MOTION FOR EXTENSION OF TIME TO FILE ANSWER
OR OTHER RESPONSIVE PLEADING TO COMPLAINT**

Defendant, Health Care Service Corporation, a Mutual Legal Reserve Company, d/b/a Blue Cross Blue Shield of Illinois ("HCSC") ("HCSC" or "Defendant") for its Motion for Extension of Time to File Answer or Other Responsive Pleading to Complaint states as follows:

1. The Complaint in this matter was filed in the Circuit Court of Cook County, Illinois, County Department, Law Division, on May 28, 2008. The Complaint was not served on HCSC until June 12, 2008.

2. By filing its Notice of Removal on July 11, 2008, Defendant has removed this action from Circuit Court of Cook County, Illinois, County Department, Law Division to this Court.

3. Pursuant to Federal Rule of Civil Procedure 81(c)(2)(C), if an extension is not granted, the answer or motion in lieu of an answer would be due on July 18, 2008 (5 days after July 11, 2008, excluding the weekend).

4. Due to the time required for analysis of the case, Defendant needs a short extension of 20 days, or until August 7, 2008, to file its answer or any motion in lieu of an answer.

5. The Complaint purports to allege certain counts that, based on available information, involve welfare benefit claims governed by the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. § 1002(1). Defendant needs additional time to complete its analysis of the claims underlying Plaintiff's Complaint, to gather supporting documentation and to prepare affidavits in support of an anticipated Motion to Dismiss based on ERISA preemption.

6. This Motion is not filed for purposes of delay.

WHEREFORE, Defendant HCSC, requests an extension of time until August 7, 2008, to file its answer or other responsive pleading to Plaintiff's Complaint.

Dated: July 16, 2008.

/s/ Douglass G. Hewitt, Esq.
One of Its Attorneys

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **MOTION FOR EXTENSION OF TIME TO FILE ANSWER OR OTHER RESPONSIVE PLEADING TO COMPLAINT** with the Clerk of Court using the CM/ECF system.

Dated: July 16, 2008

/s/ Douglass G. Hewitt
Douglass G. Hewitt

NGEDOCs: 1548540.1